

Brendaly Guerrero

**CAUSE NO. DC-19-212**

<b>STATE OF TEXAS</b>	<b>§</b>	<b>IN THE DISTRICT COURT</b>
	<b>§</b>	
<b>Ex rel.</b>	<b>§</b>	
	<b>§</b>	
<b>VICTOR CANALES, JR., in his capacity</b>	<b>§</b>	
<b>as COUNTY ATTORNEY of STARR</b>	<b>§</b>	
<b>COUNTY, TEXAS, Relator, &amp;</b>	<b>§</b>	
	<b>§</b>	
<b>RICARDO LOPEZ JR., Petitioner</b>	<b>§</b>	<b>229<sup>TH</sup> DISTRICT COURT OF</b>
	<b>§</b>	
<b>v.</b>	<b>§</b>	
	<b>§</b>	
<b>DANIEL J. GARCIA, in his capacity as</b>	<b>§</b>	
<b>RIO GRANDE CITY CONSOLIDATED</b>	<b>§</b>	
<b>INDEPENDENT SCHOOL DISTRICT</b>	<b>§</b>	
<b>SCHOOL BOARD MEMBER</b>	<b>§</b>	
<b>Defendant</b>	<b>§</b>	<b>STARR COUNTY, TEXAS</b>

**DEFENDANT DANIEL J. GARCIA'S MOTION TO COMPEL PETITIONER  
RICARDO LOPEZ, JR. TO RESPOND TO DISCOVERY QUESTIONS  
PROPOUNDED AT A DEPOSITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**COMES NOW** Defendant Daniel J. Garcia and respectfully requests this Court to compel Petitioner Ricardo Lopez, Jr. to respond to Defendant's questions and discovery requests at disposition. As grounds therefore, the Defendant would show the Court the following:

**I.**

Petitioner Ricardo Lopez, Jr. sued the Defendant Daniel J. Garcia for Removal as a School Board Member for the Rio Grande City Consolidated Independent School District. This case is not yet set for trial but a hearing is set for Friday, July 19, 2019, wherein there is a possibility that the issue of Temporary Removal will be considered.

## II.

On July 9, 2019, Plaintiff Ricardo Lopez, Jr. appeared by Notice of Deposition with his attorney of record, Jose Maria Garza. Petitioner Ricardo Lopez, Jr. was disposed but refused to answer numerous proper questions asked at the deposition. Petitioner invoked his 5<sup>th</sup> Amendment right to almost all questions asked at the deposition.

## III.

The purpose of discovery is to seek the truth so that disputes may be decided by what facts are revealed, not by what facts are concealed. Axelsen Inc. v. McIlhany, 798 S. W. 2<sup>nd</sup> 550, 555 (Tex. 1990). A party may seek discovery of any matter that is relevant to the subject matter and propositional to the needs of the case. See *Tex.R.Civ.P*192.3(a), 192.4(b); in reference *State Farm Lloyds*, 520 S. W. 3<sup>rd</sup> 595, 607 (Tex. 2017). Discovery can include evidence that may be inadmissible as long as it “appears reasonably calculated to lead to the discovery of admissible evidence.” *Tex. R. Civ. P* 192.3(a)

## IV.

A Court may compel a party to respond to questions the party refused to answer at a deposition. *Tex. R. Civ. P* 215.1(b)(2)(B); see *Tex. R. Civ. P*. 199.6. Petitioner Ricardo Lopez, Jr. did not respond to any of the questions attached hereto as Defendant’s **Exhibit “A”** (Certified Questions). **Exhibit “A”** is attached hereto and incorporated herein for all purposes.

## V.

The requested discovery is extremely important in resolving the issues of temporary removal and permanent removal. The allegations made by Petitioner Ricardo Lopez, Jr. are criminal allegations against Defendant Daniel J. Garcia, Jr. Petitioner Ricardo Lopez, Jr. was arrested for Attempted Bribery of a State District Judge in November 2017, and has never been indicted. However, after his arrest, he implicated Defendant Daniel J. Garcia, not only in that Attempted Bribery, but in other bribery allegations. Defendant Garcia has never been arrested and/or charged for any offense connected to these allegations.

## VI.

Petitioner Ricardo Lopez, Jr. invoked his 5<sup>th</sup> Amendment right to answer the questions attached in **Exhibit "A."** Petitioner Ricardo Lopez, Jr.'s invocation of his 5<sup>th</sup> Amendment right is a Removal Proceeding that he initiated is unfounded and should not be granted. Petitioner Lopez waived his 5<sup>th</sup> Amendment right twice in giving two (2) statements to law enforcement after his arrest. Petitioner Lopez then again waived his 5<sup>th</sup> Amendment right for a third time when he became the Petitioner in this Removal Proceeding and signed the Petition for Removal, with very specific criminal allegations, under oath.

## VII.

Defendant Daniel J. Garcia has incurred expenses in preparing and filing this Motion to obtain relief. Under Texas Rule of Civil Procedure 215.1(d), Defendant is entitled to reasonable expenses incurred in obtaining the order, including attorney fees.

**WHEREFORE, PREMISES CONSIDERED,** Defendant Daniel J. Garcia asks the Court, after hearing in this Motion, to compel Petitioner Ricardo Lopez, Jr. to respond to all the questions certified at his disposition, find that Petitioner waived his right to invoke his 5<sup>th</sup> Amendment by virtue of prior waiver and being Petitioner herein and order Petitioner Ricardo Lopez, Jr. to pay \$1,500.00 to Defendant Daniel J. Garcia for reasonable expenses incurred in filing this Motion, including attorney fees.

Respectfully submitted,

**G. ALLEN RAMIREZ**  
**ATTORNEY AT LAW**  
515 E. Second Street  
Rio Grande City, Texas 78582  
Tel: (956) 487-4585  
Fax: (956) 487-0565

By: /s/ G. Allen Ramirez  
**G. ALLEN RAMIREZ**  
**State Bar No. 16501800**  
Email: garlaw2@aol.com

*Attorney for Defendant, Daniel J. Garcia*

### **CERTIFICATE OF SERVICE**

I certify that on this the 15<sup>th</sup> day of July 2019 a true copy of the above was served to the following parties in accordance with the Texas Rules of Civil Procedure via electronic transmission on Victor Canales, Jr., Starr County Attorney's Office, Starr County Courthouse, Ste. 405, Rio Grande City, Texas, and Jose Maria "Chema" Garza, Jr., Law Office of J.M. "Chema" Garza, 206 N. Britton Avenue, Suite B, Rio Grande City, Texas.

/s/ G. Allen Ramirez  
**G. ALLEN RAMIREZ**

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VICTOR CANALES, JR., in }  
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ATTORNEY of STARR COUNTY, }  
TEXAS, Relator, & }  
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RICARDO LOPEZ, JR., }  
Petitioner }  
}  
v. } 229TH JUDICIAL COURT  
}  
DANIEL J. GARCIA, in his }  
Capacity as RIO GRANDE }  
CITY CONSOLIDATED }  
INDEPENDENT SCHOOL }  
DISTRICT SCHOOL BOARD }  
MEMBER }  
Defendant } STARR COUNTY, TEXAS

C E R T I F I E D Q U E S T I O N S

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ORAL DEPOSITION OF  
RICARDO LOPEZ, JR.  
TAKEN JULY 9, 2019

\*\*\*\*\*

APPEARANCES:

FOR THE PETITIONER:

Jose Maria "Chema" Garza, Jr.  
LAW OFFICE OF J.M. "CHEMA" GARZA  
206 North Britton Avenue, Suite B  
Rio Grande City, Texas 78582  
Telephone: (956) 317-1167  
E-Mail: jmchemagarza@gmail.com

1 FOR THE DEFENDANT:

2 G. Allen Ramirez

3 G. ALLEN RAMIREZ

4 ATTORNEY AT LAW

5 515 East Second Street

6 Rio Grande City, Texas 78582

7 Telephone: (956) 487-4585

8 E-Mail: garlaw2@aol.com

9 ALSO PRESENT:

10 Daniel J. Garcia, Defendant

11 BE IT REMEMBERED that on the 9th day of  
12 July, 2019, in the above-styled and numbered cause, in  
13 the office of G. Allen Ramirez, L.L.P., located at 515  
14 East Second Street, Rio Grande City, Texas, the  
15 following certified questions are from the testimony of  
16 RICARDO LOPEZ, JR., as reported by TRACIE L. CARBAJAL, a  
17 Certified Shorthand Reporter in and for the State of  
18 Texas.

19 EXCERPTS FROM TESTIMONY

20 (Page 12, Line 20)

21 Q. Is -- how is it that you became the petitioner in  
22 the Petition for Removal? How did you get in contact  
23 with Mr. Canales?

24 A. I'm going to invoke my Fifth Amendment right.

25 MR. RAMIREZ: Can we certify that question,  
then? Good.

(Page 14, Line 14)

Q. If that's what your attorney is instructing you

1 to do. But you've already answered that you called  
2 Victor Canales on your own, right?

3 A. I'm going to invoke my Fifth Amendment right and  
4 not say anything anymore on that.

5 MR. RAMIREZ: Okay. Certify that question,  
6 please.

7 (Page 15, Line 22)

8 Q. Sorry. You're right, attempted bribery. And did  
9 you -- some time shortly after you were arrested, did  
10 you waive your Fifth Amendment right and speak to  
11 Commander Robert Caples?

12 MR. RAMIREZ: Is it Robert Caples?

13 BY MR. RAMIREZ:

14 Q. -- Robert Caples regarding the facts of the  
15 attempted bribery allegation?

16 A. I can't say much. I just have to -- I guess I  
17 have to invoke the Fifth Amendment right again.

18 MR. RAMIREZ: Okay. Can we certify that  
19 question?

20 (Page 16, Line 10)

21 Q. In fact, did you -- did you waive your Fifth  
22 Amendment right on two occasions and speak to Robert  
23 Caples about the details of the attempted bribery  
24 allegation?

25 A. I'm going to invoke the Fifth Amendment right

1 again.

2 MR. RAMIREZ: Let me certify that question  
3 again, and the answer.

4 (Page 16, Line 19)

5 Q. Why is it that you decided to call Mr. Canales  
6 and ask -- how did you know that there was such a thing  
7 as a Petition for Removal, Mr. Lopez?

8 A. I'm going to invoke my Fifth Amendment right.

9 MR. RAMIREZ: Certify that question and  
10 answer, please.

11 (Page 17, Line 4)

12 Q. Okay. Then who did you become aware of the  
13 Petition for Removal from?

14 A. I'm going to invoke my Fifth Amendment right.

15 MR. RAMIREZ: Please certify the question  
16 and answer.

17 (Page 17, Line 9)

18 Q. How is it that you became the petitioner in this  
19 Petition for Removal?

20 A. Again, I'm going to invoke my Fifth Amendment  
21 right.

22 MR. RAMIREZ: Please certify that question  
23 and answer.

24 (Page 17, Line 17)

25 Q. Do you intend to testify at the trial on the

1 Petition for Removal, Mr. Lopez, or are you going to  
2 invoke your Fifth Amendment right at the trial, also?

3 A. Right now, I'm going to invoke my Fifth Amendment  
4 right.

5 MR. RAMIREZ: Please certify that question  
6 and answer.

7 (Page 18, Line 10)

8 Q. Okay. And in the petition, it is alleged that in  
9 November of 2017, Daniel Garcia conspired to illegally  
10 elicit employment, to attempt to bribe a State District  
11 Judge in his official capacity as School Board  
12 President, and to offer or withhold promotions and pay  
13 raises to school employees contingent upon his being  
14 hired in a murder case. Are you aware of what murder  
15 case you're referring to as petitioner when you filed  
16 this?

17 A. I'm going to invoke my Fifth Amendment right.

18 MR. RAMIREZ: Go ahead and certify that  
19 question and answer.

20 (Page 18, Line 23)

21 Q. When you stated, as petitioner, that Danny Garcia  
22 was involved in the attempt to bribe a State District  
23 Court Judge, please tell the ladies and gentlemen of the  
24 jury how Danny Garcia was involved in the attempt to  
25 bribe a State District Court Judge?

1 A. The same answer.

2 MR. RAMIREZ: I'm going to certify --

3 A. I'm going to assert my Fifth Amendment right.

4 MR. RAMIREZ: Certify the question and  
5 answer, please.

6 (Page 19, Line 18)

7 When you stated as petitioner in your Petition for  
8 Removal that Danny Garcia, a School Board President,  
9 would offer or withhold promotions to school employees  
10 to be hired for the murder case, what exactly did Danny  
11 do in connection with that allegation?

12 THE WITNESS: Do I answer or just keep on  
13 answering?

14 MR. GARZA: Just answer the way you were  
15 answering.

16 A. Okay. I'm going to invoke my Fifth Amendment  
17 right.

18 MR. RAMIREZ: Okay. Please certify that  
19 question and answer.

20 (Page 20, Line 8)

21 Q. When you state in -- as petitioner in your  
22 Petition for Removal that Daniel J. Garcia, as a Rio  
23 Grande City Independent School Board Member, offered  
24 to -- offered pay raises to school employees, what  
25 school employees -- to be hired on this murder case,

1     what school employees did he offer pay raises to?

2             A. I'm going to invoke my Fifth Amendment right.

3                     MR. RAMIREZ: Please certify that question  
4     and answer.

5     (Page 20, Line 22)

6             Q. Okay. What murder case were you arrested in  
7     connection with? What murder case are they alleging you  
8     attempted to bribe the judge?

9             A. I'm going to invoke my Fifth Amendment right.

10                    MR. RAMIREZ: Okay. Please certify that  
11     question and answer.

12     (Page 21, Line 4)

13             Q. Who was your first attorney when you were charged  
14     with the offense?

15             A. I'm going to invoke my Fifth Amendment right.

16                    MR. RAMIREZ: Please certify that question  
17     and answer.

18     (Page 21, Line 10)

19             Q. How many attorneys have you had since you were  
20     charged with attempted bribery, Mr. Lopez?

21             A. I'm going to invoke my Fifth Amendment right.

22                    MR. RAMIREZ: Okay. Please certify that  
23     question and answer.

24     (Page 21, Line 16)

25             Q. When did you hire Mr. Chema Garza to be your

1 attorney --

2 MR. GARZA: Objection; form.

3 BY MR. RAMIREZ:

4 Q. -- Mr. Lopez?

5 THE WITNESS: The same thing?

6 A. I'm going to invoke my Fifth Amendment Right.

7 MR. RAMIREZ: I'm going to certify that  
8 question and answer.

9 (Page 22, Line 1)

10 Q. How much have you paid Mr. Chema Garza as to --  
11 how much did you pay him to retain him as your attorney,  
12 Mr. Lopez?

13 MR. GARZA: Objection; form. Don't answer  
14 that.

15 MR. RAMIREZ: Please certify that question  
16 and answer. You're -- you're instructing him not to  
17 answer, not based on the Fifth?

18 MR. GARZA: He's instructed not to answer  
19 this question.

20 MR. RAMIREZ: On the basis of the Fifth?

21 MR. GARZA: No. On the basis that it's  
22 privileged information.

23 (Page 22, Line 15)

24 Q. How many times did you talk to Commander Caples  
25 with reference to the case, Mr. Lopez?

1 A. I'm going to invoke my Fifth Amendment right.

2 MR. RAMIREZ: Okay. Certify that question  
3 and answer.

4 (Page 22, Line 21)

5 Q. Did you invoke your Fifth Amendment right,  
6 Mr. Lopez, when you signed this petition?

7 A. I'm going to invoke my Fifth Amendment right.

8 MR. RAMIREZ: Okay. Please certify that  
9 question and answer.

10 (Page 23, Line 2)

11 Q. Did you speak directly to Mr. Canales about the  
12 allegations in the petition, Mr. Lopez?

13 A. I'm going to invoke my Fifth Amendment right.

14 MR. RAMIREZ: Certify that question and  
15 answer.

16 (Page 23, Line 8)

17 Q. When you stated in your petition, Mr. Lopez, that  
18 Daniel J. Garcia, as a School Board Member in Rio Grande  
19 City, offered a school employee a promotion so that he  
20 could be hired to represent a defendant in a murder  
21 case, what school employee are you referring to?

22 A. I'm going to invoke my Fifth Amendment right.

23 MR. RAMIREZ: Please certify that question  
24 and answer.

25 (Page 23, Line 17)

1 Q. When you -- when you state in your petition,  
2 Mr. Lopez, that Daniel J. Garcia, as a Rio Grande City  
3 Independent School District Board Member, withheld pay  
4 raises from school employees so that those employees  
5 would solicit him in a murder case as their attorney,  
6 who are you referring to? What employees are you  
7 referring to?

8 A. I'm going to invoke my Fifth Amendment right.

9 MR. RAMIREZ: Please certify that question  
10 and answer.

11 (Page 24, Line 3)

12 Q. When you allege in Paragraph 19, Mr. Lopez, that  
13 Daniel J. Garcia, as a Rio Grande City Independent  
14 School Board Member, conspired with another public  
15 official to disclose information that was law  
16 enforcement sensitive, who are you referring to as the  
17 other law enforcement officer that revealed the  
18 information?

19 A. I'm going to invoke my Fifth Amendment right.

20 MR. RAMIREZ: Please certify that question  
21 and answer.

22 (Page 24, Line 14)

23 Q. What information was divulged that you have  
24 personal knowledge of that was law enforcement sensitive  
25 that was divulged to Danny Garcia?

1 A. I'm going to invoke my Fifth Amendment right.

2 MR. RAMIREZ: Please certify that question  
3 and answer.

4 (Page 24, Line 21)

5 Q. When you allege in Paragraph 20, as petitioner in  
6 this case -- in the civil case, Mr. Lopez, when you  
7 allege that Daniel J. Garcia, as a Rio Grande City  
8 Independent School Board Member, manipulated his  
9 position as a School Board President and orchestrated  
10 the attempted bribe that you're charged with, please  
11 tell the ladies and gentlemen of the jury or the judge  
12 how it is that Mr. Garcia orchestrated the attempted  
13 bribe.

14 A. I'm going to invoke my Fifth Amendment right.

15 MR. RAMIREZ: Okay. Please certify that  
16 question and answer.

17 (Page 25, Line 9)

18 Q. When you state in Paragraph 21, Mr. Lopez, that  
19 Daniel J. Garcia, as the Rio Grande City Independent  
20 School District -- School Board Member, conspired to  
21 receive payment by other school employees in exchange  
22 for promotions or pay raises, what exactly are you  
23 referring to?

24 A. I'm going to invoke my Fifth Amendment right,  
25 sir.

1 MR. RAMIREZ: Please certify that question  
2 and answer.

3 (Page 25, Line 20)

4 Q. Why -- why do you believe, Mr. Lopez, that Danny  
5 Garcia should be removed as a School Board Member?

6 A. I'm going to invoke my Fifth Amendment right,  
7 sir.

8 MR. RAMIREZ: Okay. Please certify that  
9 question and answer.

10 (Page 26, Line 3)

11 Q. How many times have you spoken to County Attorney  
12 Victor Canales concerning this Petition for Removal, if  
13 you remember?

14 A. I'm going to invoke my Fifth Amendment right.

15 MR. RAMIREZ: Please certify that question  
16 and answer.

17 (Page 26, Line 9)

18 Q. How many times have you spoken to Assistant  
19 District Attorney Andrew Whitlock in connection with  
20 this removal proceeding, Mr. Lopez?

21 A. I'm going to invoke my Fifth Amendment right.

22 MR. RAMIREZ: Please certify that question  
23 and answer.

24 (Page 26, Line 20)

25 Q. Okay. Have you ever spoken to Omar Escobar

1 concerning this particular Petition for Removal?

2 A. I'm going to invoke my Fifth Amendment right.

3 MR. RAMIREZ: Please certify that question  
4 and answer.

5 (Page 27, Line 1)

6 Q. Have you ever been treated for any kind of  
7 substance abuse, Mr. Lopez?

8 A. I'm going to invoke my Fifth Amendment right.

9 MR. RAMIREZ: Please certify the question  
10 and answer.

11 (Page 27, Line 7)

12 Q. Have you ever been treated for a gambling  
13 problem, Mr. Lopez?

14 A. I'm going to invoke my Fifth Amendment right.

15 MR. RAMIREZ: Please certify that question  
16 and answer.

17 (Page 27, Line 13)

18 Q. The allegation that you made against Mr. Garcia  
19 with reference to Alfonzo (sic) Ibanez -- Alonzo  
20 Ibanez -- did you ever make an allegation against  
21 Mr. Garcia with reference to his dealings with Alonzo  
22 Ibanez or Clarissa Ibanez?

23 A. I'm going to invoke my Fifth Amendment right.

24 MR. RAMIREZ: Please certify that question  
25 and answer.

1 (Page 27, Line 22)

2 Q. Did you ever make an allegation with reference to  
3 Mr. Garcia and some phone calls that, according to you,  
4 he made to Arcadio Salinas?

5 A. I'm going to invoke my Fifth Amendment right.

6 MR. RAMIREZ: Please certify that question  
7 and answer.

8 (Page 28, Line 4)

9 Q. How many times have you read the Petition for  
10 Removal, Mr. Lopez?

11 A. I'm going to invoke my Fifth Amendment right.

12 MR. RAMIREZ: Please certify that question  
13 and answer.

14 (Page 28, Line 10)

15 Q. Was the Petition for Removal ever explained to  
16 you, Mr. Lopez?

17 A. I'm going to invoke my Fifth Amendment right.

18 MR. RAMIREZ: Please certify that question  
19 and answer.

20 (Page 28, Line 21)

21 Q. Okay. Have you ever been indicted for the  
22 attempted bribery that you allegedly committed in  
23 November of 2017?

24 A. I'm going to invoke my Fifth Amendment right.

25 MR. RAMIREZ: Please certify that question

1 and answer.

2 (Page 29, Line 14)

3 Q. Did you pay the filing fee for filing this  
4 Petition for Removal on Danny Garcia?

5 A. I'm going to invoke my Fifth Amendment right.

6 MR. RAMIREZ: Please certify that question  
7 and answer.

8 (Page 29, Line 20)

9 Q. If you didn't pay the filing fee for the filing  
10 of this Petition for Removal, who paid the filing fee,  
11 Mr. Lopez?

12 A. I'm going to invoke my Fifth Amendment right.

13 MR. RAMIREZ: Please certify that question  
14 and answer.

15 (Page 30, Line 6)

16 Q. Do you know why you haven't been indicted yet?

17 A. I'm going to invoke my Fifth Amendment right.

18 MR. RAMIREZ: Please certify that question  
19 and answer.

20 (Page 30, Line 111)

21 Q. Have you had conversations with the District  
22 Attorney's Office, or have you visited in the District  
23 Attorney's Office at any time since your arrest with --  
24 in connection with the charges in your case?

25 A. I'm going to invoke my Fifth Amendment right.

1 MR. RAMIREZ: Please certify that question  
2 and answer.

3 (Page 30, Line 19)

4 Q. Have you, at any time, had a personal  
5 conversation with Omar Escobar concerning your charges  
6 in connection with the attempted bribery charge?

7 A. I'm going to invoke my Fifth Amendment right.

8 MR. RAMIREZ: Please certify that question  
9 and answer.

10 (Page 31, Line 1)

11 Q. Have you ever had a conversation with any of the  
12 Assistant District Attorneys in connection with your  
13 arrest for attempted bribery in November of 2017?

14 A. I'm going to invoke my Fifth Amendment right.

15 MR. RAMIREZ: Please certify that question  
16 and answer.

17 (Page 31, Line 8)

18 Q. Have you taken any money from either Eddie  
19 Ramirez or R.J. Ramirez for -- have they paid you any  
20 money since your signing of the removal for Daniel J.  
21 Garcia?

22 A. I'm doing to invoke my Fifth Amendment right.

23 MR. RAMIREZ: Please certify that question  
24 and answer.

25 (Page 31, Line 16)

1 Q. Have you done any odd jobs or side work for Eddie  
2 Ramirez since your arrest in November of 2017?

3 A. I'm going to invoke my Fifth Amendment right.

4 MR. RAMIREZ: Please certify that question  
5 and answer.

6 (Page 31, Line 22)

7 Q. You are aware, are you not, that Eddie Ramirez is  
8 a school board member?

9 A. I'm going to invoke my Fifth Amendment right.

10 MR. RAMIREZ: Please certify that question  
11 and answer.

12 (Page 32, Line 3)

13 Q. And I believe you've already answered, without  
14 invoking your right, that you and him had dinner last  
15 week; is that correct?

16 A. I'm going to invoke my Fifth Amendment right.

17 MR. RAMIREZ: Please certify that question  
18 and answer.

19 (Page 32, Line 10)

20 Q. Is he a sitting school board member right now?

21 A. Is that a question?

22 Q. Yeah.

23 A. I'm going to invoke my Fifth Amendment right.

24 MR. RAMIREZ: Please certify that question  
25 and answer.

1 (Page 32, Line 17)

2 Q. When you and Eddie Ramirez had dinner last week  
3 at El Barquito in Roma, did you discuss your Petition  
4 for Removal of Danny Garcia?

5 A. I'm going to invoke my Fifth Amendment right.

6 MR. RAMIREZ: Please certify that question  
7 and answer.

8 (Page 32, Line 24)

9 Q. Have you ever discussed with any other school  
10 board members besides -- well, any school board members  
11 that are presently sitting, your Petition for Removal of  
12 Danny Garcia?

13 A. I'm going to invoke my Fifth Amendment right.

14 MR. RAMIREZ: Please certify that question  
15 and answer.

16 (Page 33, Line 7)

17 Q. Have you ever had occasion to discuss the  
18 Petition for Removal of Daniel J. Garcia with Eduardo  
19 "Eddie" Ramirez?

20 A. I'm going to invoke my Fifth Amendment right.

21 MR. RAMIREZ: Please certify that question  
22 and answer.

23 (Page 33, Line 14)

24 Q. Have you ever had occasion to discuss the  
25 Petition for Removal of Daniel J. Garcia with Sitting

1 School Board Member Basilio Villarreal?

2 A. I'm going to invoke my Fifth Amendment right.

3 MR. RAMIREZ: Please certify the question  
4 and answer.

5 (Page 33, Line 21)

6 Q. Have you ever had occasion to discuss the  
7 Petition for Removal with Sitting School Board Member  
8 Art Castillo?

9 A. I'm going to invoke my Fifth Amendment right.

10 MR. RAMIREZ: Please certify that question  
11 and answer.

12 (Page 34, Line 3)

13 Q. Have you exchanged any text messages with  
14 Eddie -- Eduardo "Eddie" Ramirez concerning the removal  
15 petition? Have you ever exchanged text messages with  
16 him?

17 A. I'm going to invoke my Fifth Amendment right.

18 MR. RAMIREZ: Please certify that question  
19 and answer.

20 (Page 34, Line 15)

21 Q. Okay. Have you ever exchanged text messages with  
22 either Victor Canales, the County Attorney, or Juan  
23 Escobar, the D.A. in connection with your Petition for  
24 Removal of Daniel J. Garcia?

25 A. I'm going to invoke my Fifth Amendment right.

1 MR. RAMIREZ: Please certify that question  
2 and answer.

3 (Page 34, Line 23)

4 Q. Where were you when you were arrested, Mr. Lopez?

5 A. I'm going to invoke my Fifth Amendment right.

6 MR. RAMIREZ: Please certify that question  
7 and answer.

8 (Page 35, Line 3)

9 Q. Who had -- do you know a person by the name of  
10 Hernan "Nune" Garza, Mr. Lopez?

11 A. I'm going to invoke my Fifth Amendment right.

12 MR. RAMIREZ: Please certify that question  
13 and answer.

14 (Page 35, Line 9)

15 Q. Did you ever meet with Hernan "Nune" Garza in  
16 connection with the Chayse Olivarez murder case?

17 A. I'm going to invoke my Fifth Amendment right.

18 MR. RAMIREZ: Please certify that question  
19 and answer.

20 (Page 35, Line 15)

21 Q. Did you ever meet at Hernan "Nune" Garza's home  
22 in connection with the murder case against Jose Luis  
23 Garcia, Jr.?

24 A. I'm going to invoke my Fifth Amendment right.

25 MR. RAMIREZ: Please certify that question

1 and answer.

2 (Page 35, Line 22)

3 Q. Have you ever heard the audio recording that was  
4 made of you when you attempted to bribe Hernan "Nune"  
5 Garza in November of 2017?

6 A. I'm going to invoke my Fifth Amendment right.

7 MR. RAMIREZ: Okay. Please certify that  
8 question and answer.

9 (Page 36, Line 4)

10 Q. Is it true, Mr. Lopez, that in -- in November of  
11 2017, you met with Hernan "Nune" Garza and gave him  
12 \$2,000 and asked him talk to his brother about reducing  
13 the bond for Jose Luis Garcia, Jr.?

14 A. I'm going to invoke my Fifth Amendment right,  
15 sir.

16 MR. RAMIREZ: Can you please certify that  
17 question and answer?

18 (Page 36, Line 13)

19 Q. What is your relationship with the Garcia  
20 family -- Jose Luis Garcia's family?

21 A. I'm going to invoke my Fifth Amendment right.

22 MR. RAMIREZ: Please certify that question  
23 and answer.

24 (Page 36, Line 22)

25 Q. Who is Ms. Figueroa?

1       A. I'm going to invoke my Fifth Amendment right.

2               MR. RAMIREZ: Please certify the question  
3 and answer.

4       (Page 37, Line 2)

5       Q. Isn't it true, Mr. Lopez, that you were having an  
6 extramarital affair with Ms. Figueroa, who is the sister  
7 of Sandy Garcia, at the time that you tried to bribe the  
8 judge's brother?

9               MR. GARZA: Objection; form. Go ahead and  
10 answer.

11       A. I'm going to invoke my Fifth Amendment right.

12               MR. RAMIREZ: Please certify that question  
13 and answer.

14       (Page 37, Line 12)

15       Q. How long were you in jail before you were bonded  
16 out after your arrest, Mr. Garcia -- I mean, Mr. Lopez?  
17 I'm sorry.

18       A. I'm going to invoke my Fifth Amendment right.

19               MR. RAMIREZ: Please certify that question  
20 and answer.

21       (Page 37, Line 19)

22       Q. Where did you get the money that you handed  
23 Hernan "Nune" Garza in November of 2017, asking him to  
24 talk to his brother about reducing the bond on Jose Luis  
25 Garcia, Jr.?

1 A. I'm going to invoke my Fifth Amendment right.

2 MR. RAMIREZ: Please certify that question  
3 and answer.

4 (Page 38, Line 7)

5 Q. Okay. Where did you get the \$3,000 that you left  
6 in your vehicle that day that was found when you were  
7 arrested? Where did you get that money?

8 A. I'm going to invoke my Fifth Amendment right.

9 MR. RAMIREZ: Okay. Certify that question  
10 and answer.

11 (Page 38, Line 14)

12 Q. Why did you decide to waive your Fifth Amendment  
13 right shortly after your arrest and give a recorded  
14 statement to Commander Caples of the Special Crimes  
15 Unit?

16 A. I'm going to invoke my Fifth Amendment right.

17 MR. RAMIREZ: Okay. Please certify that  
18 question and answer.

19 (Page 38, Line 22)

20 Q. Why did you waive your Fifth Amendment right a  
21 second time when you gave your second statement to  
22 Commander Caples in connection with the attempted  
23 bribery charge of November 2017?

24 A. I'm going to invoke my Fifth Amendment right.

25 MR. RAMIREZ: Please certify that question

1 and answer.

2 (Page 39, Line 5)

3 Q. Did you mention Danny -- Daniel J. Garcia at all  
4 in your initial statements to Commander Caples when you  
5 spoke to him either the first time or the second time  
6 and waived your Fifth Amendment rights?

7 A. I'm going to invoke my Fifth Amendment right.

8 MR. RAMIREZ: Please certify the question  
9 and answer.

10 (Page 39, Line 13)

11 Q. If you have already waived your Fifth Amendment  
12 right twice in connection with your charges, Mr. Lopez,  
13 tell the ladies and gentlemen of the jury and the judge  
14 why you're invoking your Fifth Amendment Right today.

15 A. I'm going to invoke my Fifth Amendment right.

16 MR. RAMIREZ: Okay. Please certify that  
17 question and answer.

18 (Page 39, Line 21)

19 Q. How is it that you know Danny Garcia, Mr. Lopez?

20 A. I'm going to invoke my Fifth Amendment right.

21 MR. RAMIREZ: Please certify that question  
22 and answer.

23 (Page 40, Line 1)

24 Q. Were you aware that Mr. Garcia -- Daniel J.  
25 Garcia knew Jose Luis Garcia and his wife personally

1 since they were young? Were you aware of that  
2 connection?

3 A. I'm going to invoke my Fifth Amendment right.

4 MR. RAMIREZ: Please certify that question  
5 and answer.

6 (Page 40, Line 9)

7 Q. Do you remember visiting with Danny J. Garcia at  
8 his home, along with Jose Luis Garcia, in connection  
9 with Jose Luis Garcia hiring Mr. Danny Garcia for the  
10 murder case?

11 A. I'm going to invoke my Fifth Amendment right.

12 MR. RAMIREZ: Please certify that question  
13 and answer.

14 (Page 40, Line 17)

15 Q. Did you ever tell Investigator Caples that Alonzo  
16 Ibanez or Clarissa Ibanez had been promised a promotion  
17 by Daniel J. Garcia in return for money?

18 A. I'm going to invoke the Fifth Amendment right.

19 MR. RAMIREZ: Please certify that question  
20 and answer.

21 (Page 40, Line 24)

22 Q. Were you aware of the fact that both Alonzo  
23 Ibanez and Clarissa Ibanez denied your statement to  
24 Commander Caples concerning any kind of payment to  
25 Daniel J. Garcia?

1       A. I'm going to invoke my Fifth Amendment right.

2               MR. RAMIREZ: Please certify that question  
3 and answer.

4       (Page 41, Line 7)

5       Q. Do you remember also telling Commander Caples  
6 about certain phone calls that Danny Garcia made for you  
7 to Arcadio Salinas?

8       A. I'm going to invoke my Fifth Amendment right.

9               MR. RAMIREZ: Please certify that question  
10 and answer.

11       (Page 41, Line 14)

12       Q. The phone calls that you alleged to Commander  
13 Caples that were made were to somehow give you more  
14 hours. Do you remember that?

15       A. I'm going to invoke my Fifth Amendment right.

16               MR. RAMIREZ: Please certify that question  
17 and answer.

18       (Page 41, Line 21)

19       Q. Are you aware of the fact that Arcadio Salinas  
20 has denied that Danny Garcia ever spoke to him on your  
21 behalf?

22       A. I'm going to invoke my Fifth Amendment right,

23               MR. RAMIREZ: Please certify that question  
24 and answer.

25       (Page 42, Line 3)

1 Q. Do you have any information with reference to any  
2 school employees who were offered a pay raise or  
3 withheld pay raises by Daniel J. Garcia because they  
4 would not pay him money?

5 A. I'm going to invoke my Fifth Amendment right.

6 MR. RAMIREZ: Please certify that question  
7 and answer.

8 (Page 42, Line 11)

9 Q. Do you know whether or not Danny Garcia, as a  
10 school board member, can arbitrarily give a school  
11 employee a pay raise? Do you know whether he can or  
12 not?

13 A. I'm going to invoke my Fifth Amendment right.

14 MR. RAMIREZ: Please certify that question  
15 and answer.

16 (Page 42, Line 19)

17 Q. I may have asked this. I'm sorry if I'm  
18 repeating myself, Mr. Lopez, but who is the public  
19 official that you have alleged spoke to Mr. Garcia about  
20 the details of that murder case involving Chayse  
21 Olivarez?

22 A. I'm going to invoke my Fifth Amendment right.

23 MR. RAMIREZ: Please certify that question  
24 and answer.

25 (Page 43, Line 3)

1 Q. And where did this conversation take place?

2 A. I'm going to invoke my Fifth Amendment right.

3 MR. RAMIREZ: Okay. Please certify that  
4 question and answer.

5 (Page 43, Line 8)

6 Q. And what was the sensitive information that was  
7 disclosed to Mr. Garcia by this person, this public  
8 official?

9 A. I'm going to invoke my Fifth Amendment right.

10 MR. RAMIREZ: Okay. Please certify that  
11 question and answer.

12 (Page 43, Line 15)

13 Q. In your petition, you allege that Mr. Daniel J.  
14 Garcia orchestrated the whole bribery scheme that you  
15 were arrested for. Please explain to the judge and the  
16 ladies and gentlemen of the jury how Daniel J. Garcia  
17 orchestrated this bribery scheme.

18 A. I'm going to waive (sic) my Fifth Amendment  
19 right.

20 MR. RAMIREZ: Okay. Please certify that  
21 question and answer.

22 (Page 43, Line 25)

23 Q. In your Petition for Removal, you also allege  
24 that certain school employees received payments -- gave  
25 payments to Mr. Garcia in exchange for promotions.

1 Please tell the ladies and gentlemen of the jury and the  
2 judge what school employees received pay -- received  
3 promotions in return for paying Mr. Daniel J. Garcia  
4 money.

5 A. I'm going to waive (sic) my Fifth Amendment  
6 right.

7 MR. RAMIREZ: Okay. Please certify that  
8 question and answer.

9 (Page 44, Line 12)

10 Q. Were you aware, Mr. Lopez, that in March of this  
11 year, the D.A.'s Office turned over the prosecution of  
12 your case to the Attorney General's Office?

13 A. I'm going to waive (sic) my Fifth Amendment  
14 right.

15 MS. VELA: He's saying waived.

16 MR. GARZA: Invoke.

17 A. Invoke. I'm going to invoke my Fifth Amendment  
18 right.

19 MR. RAMIREZ: Please certify that question  
20 and answer.

21 (Page 44, Line 24)

22 Q. Did you ever -- did you get copies of the  
23 statements that you gave to Investigator Caples?

24 A. I'm going to invoke my Fifth Amendment right.

25 MR. RAMIREZ: Okay. Please certify that

1 question and answer.

2 (Page 45, Line 5)

3 Q. Did you ever take your phone in to Investigator  
4 Caples so that he could review text messages on your  
5 phone?

6 A. I'm going to invoke my Fifth Amendment right.

7 MR. RAMIREZ: Please certify that question  
8 and answer.

9 (Page 45, Line 12)

10 Q. Okay. And did you invoke your Fifth on that,  
11 also?

12 A. Correct.

13 MR. RAMIREZ: Okay. Certify that question  
14 and answer.

15 (Page 45, Line 21)

16 Q. Do you intend to testify at the -- at the hearing  
17 against Mr. Garcia as petitioner in this case, or are  
18 you going to drop that petition?

19 A. I'm going to invoke my Fifth Amendment right.

20 MR. RAMIREZ: Okay. Please certify that  
21 question and answer.

22 (Page 46, Line 3)

23 Q. I can't think of anything else. Let me see.  
24 What is your understanding of being a petitioner in a  
25 Petition for Removal, Mr. Lopez? What is your

1 understanding of what your role is in a Petition for  
2 Removal?

3 A. I'm going to invoke my Fifth Amendment right.

4 MR. RAMIREZ: Please certify that question  
5 and answer.

6 (Page 46, Line 12)

7 Q. Do you -- did you ever directly approach Judge  
8 Jose Luis Garza at Caro's Restaurant to talk to him  
9 about this -- this murder case?

10 A. I'm going to invoke my Fifth Amendment right.

11 MR. RAMIREZ: Please certify that question  
12 and answer.

13 (Page 46, Line 19)

14 Q. Have you ever approached, or did you ever  
15 approach Jose Luis Garza at any place -- Judge Jose Luis  
16 Garza at any place to discuss the murder case involving  
17 Jose Luis Garcia, Jr.?

18 A. I'm going to invoke my Fifth Amendment right.

19 MR. RAMIREZ: Okay. Please certify that  
20 question and answer.

21 ---oo0oo---

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